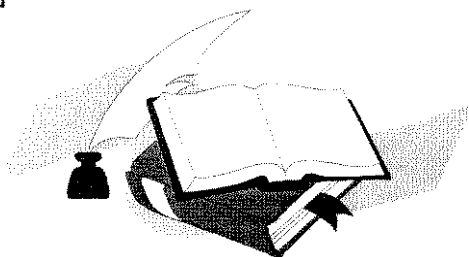


West Virginia Board of Medicine

BRIEF REPORT ON 1998 LEGISLATIVE SESSION



HOUSE BILL 4021 passed February 23, 1998, and is now in effect. House Bill 4021 is an act to amend and reenact section twelve, article one, chapter thirty of the West Virginia Code, and relates to public access to licensing boards.

SENATE BILL 233 passed February 23, 1998, and is now in effect. Senate Bill 233 is an act to amend and reenact section sixteen, article three, chapter thirty of the West Virginia Code, and relates to certain authorized physician assistants being permitted to pronounce death in accordance with rules promulgated by the board of medicine; requiring proposed job description to be filed with application for licensure; changing requirements for temporary licensure; changing requirements of physician applying to board to supervise physician assistant; and changing the limitations on supervising physicians.

SENATE BILL 329 passed March 14, 1998. Senate Bill 329 is an act which amends several rules of different agencies, including the physician assistant rule of the Board, 11 CSR 1B. The physician assistant rule, with its amendments, is effective May 1, 1998, and is entitled Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants.

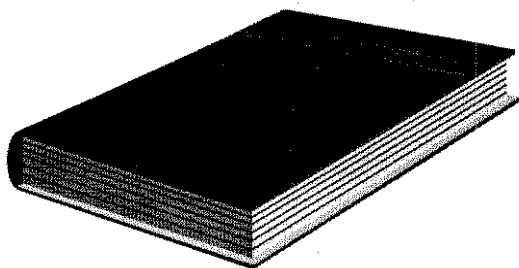
HOUSE BILL 4058 passed March 14, 1998, and is now in effect. House Bill 4058 is an act to amend chapter thirty of the West Virginia Code, by adding a new article three-A, entitled Management of Intractable Pain. The law relates to limiting disciplinary actions against certain health professionals prescribing, administering or dispensing controlled substances in the management of intractable pain.

Some other new laws of interest include House Bill 2168, updating the controlled substance schedules, House Bill 4483, relating to sexually transmitted diseases and reports by physicians, House Bill 4503, relating to Aids/H.I.V. related medical testing, and Senate Bill 25, relating to women's access to health care.

For a complete view of what these new laws and the amended Board of Medicine regulation 11 CSR 1B state, the provisions of each should be examined. Copies of the bills described, or any other bills which passed during the 1998 Legislative Session, may be obtained by calling the House of Delegates Clerk for a House Bill at (304) 340-3200, or the Senate Clerk for a Senate Bill at (304) 357-7800. Copies of the physician assistant regulation effective May 1, 1998, 11 CSR 1B, may be obtained by contacting the Board offices at (304) 558-2921, or the Secretary of State's Office at (304) 558-6000.

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Disciplinary Actions April - June 1998

AGARWAL, ANIL BHIKULAL, M.D. - Bluefield, WV (05/28/98) WV License No. 10930

Board Finding: Failing to keep written records justifying the course of treatment of a patient and unprofessional conduct.

Board Action: Public reprimand for prescribing scheduled controlled substances to the complainant without maintaining documentation of such care and treatment of the complainant, and shall not prescribe medications to any person who is not his patient and for whom he maintains no written medical record documenting his care and treatment of such person.

FOX, STUART HENRY, M.D. - Huntington, WV (04/09/98) WV License No. 15809

Board Finding: Dishonorable, unethical or unprofessional conduct which is likely to deceive, defraud or harm the public or any member thereof.

Board Action: License placed in a probationary status for two (2) years with certain restrictions and limitations.

Court Action: In January, 1998, Dr. Fox filed an appeal of the Board's action in the Circuit Court of Kanawha County and obtained a stay of the Board's action during the appeal proceeding. By Order of the Circuit Court of Putnam County entered April 9, 1998, the Court AFFIRMED the Board's January 15, 1998, final Order in its entirety and terminated the stay. The Board's Order is effective April 9, 1998.

HANSEL, JOHN SEYBERT, JR., M.D. - Logan, WV (05/15/98) WV License No. 16696

Board Finding: Failing to perform a statutory or legal obligation placed upon a licensed physician; refused or failed to submit to a physical or mental examination and that this refusal or failure is prima facie evidence of an inability to practice medicine and

surgery competently and in compliance with the standards of acceptable and prevailing medical practice; engaging in unprofessional, unethical, and dishonorable conduct; failed to practice medicine with the appropriate level of care, skill, and treatment; unqualified to practice medicine in the State of West Virginia.

Board Action: License revoked effective May 15, 1998.

KNOLL, ALAN FRANKLIN, M.D. - Woodstock, VA (05/26/98) WV License No. 19426

Board Finding: Relating to having his license suspended in another jurisdiction.

Board Action: License granted effective June 1, 1998, subject to restrictions and limitations.

MUZAFFER, RAHMET, M.D. - Bluefield, West Virginia (05/27/98) WV License No. 17733

Board Finding: Relating to unprofessional conduct.

Board Action: Dr. Muzaffer's care and treatment of any female patient, without exception, may not take place without the presence of a third person present in the examination room.



NERZ, PAUL MICHAEL, M.D. - White Sulphur Springs, WV - WV License No. 12102

Board Action: Medical license surrendered to the Board effective May 10, 1998.

TAMEA, CONRAD D., JR., M.D. - Ronceverte, WV - WV License No. 12092

Board Action: Medical license surrendered to the Board effective June 22, 1998.

Upcoming Board Meetings

- ♦ July 13
- ♦ September 14
- ♦ November 9

COMMITTEES OF THE WEST VIRGINIA BOARD OF MEDICINE 1997-1998

COMPLAINT COMMITTEE

Ahmed D. Faheem, M.D., *Chair*
Michael Grome, P.A.-C.
Leonard Simmons, D.P.M.
Lee E. Smith, M.D.

CORPORATE PRACTICE OF MEDICINE COMMITTEE

Mr. George G. Guthrie, *Chair*
Sarjit Singh, M.D.

LEGISLATIVE COMMITTEE

Phillip B. Mathias, M.D., *Chair*
Michael Grome, P.A.-C.
Mr. George G. Guthrie

LICENSURE COMMITTEE

Bruce L. Berry, M.D., *Chair*
R. Curtis Arnold, D.P.M.
Mrs. Mary Boyd Kearse
Carmen R. Rexrode, M.D.
Henry G. Taylor, M.D., M.P.H.

MALPRACTICE COMMITTEE

Sarjit Singh, M.D., *Chair*
R. Curtis Arnold, D.P.M.
Mr. George G. Guthrie
Phillip B. Mathias, M.D.

MANAGEMENT AND EXECUTIVE COMMITTEE

A. Paul Brooks, Jr., M.D., *Chair*
Sarjit Singh, M.D.
Henry G. Taylor, M.D., M.P.H.

PHYSICIAN ASSISTANT COMMITTEE

Michael Grome, P.A.-C., *Chair*
Bruce L. Berry, M.D.
Mrs. Mary Boyd Kearse
Carmen R. Rexrode, M.D.

AD HOC COMMITTEE ON AMERICANS WITH DISABILITIES ACT

R. Curtis Arnold, D.P.M., *Chair*
Bruce L. Berry, M.D.
Michael Grome, P.A.-C.
Mr. George G. Guthrie

AD HOC COMMITTEE ON TELEMEDICINE

Lee E. Smith, M.D., *Chair*
R. Curtis Arnold, D.P.M.
Michael Grome, P.A.-C.
Mr. George G. Guthrie
Carmen R. Rexrode, M.D.

FEDERATION'S FOCUSED REVIEW AD HOC COMMITTEE

R. Curtis Arnold, D.P.M., *Chair*
Michael Grome, P.A.-C.
Mr. George G. Guthrie
Phillip B. Mathias, M.D.



Board Members

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Parkersburg, West Virginia

VICE PRESIDENT: SARJIT SINGH, M.D.

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Glen Dale, West Virginia

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Moorefield, West Virginia

LEONARD SIMMONS, D.P.M.

Fairmont, West Virginia

LEE ELLIOTT SMITH, M.D.

Princeton, West Virginia

**BOARD MEMBER PROFILE - CARMEN REBECCA
REXRODE, M.D.**

Dr. Rexrode was appointed to the Board of Medicine in 1996 by Governor Gaston Caperton. She is a member of the Board's Licensure Committee, Physician Assistant Committee, and the Ad Hoc Committee on Telemedicine.

Dr. Rexrode was born in Harrisonburg, Virginia, graduated Cum Laude from Harvard University, Cambridge, Massachusetts (where her senior thesis was entitled "Take Moonshine According To Age: Healing in Pendleton County, West Virginia, 1900 - 1940"), and from the West Virginia University School of Medicine in 1988. Dr. Rexrode's residency was at the Medical College of Virginia, Blackstone Family Practice Center. She is a family practitioner, certified by the American Board of Family Practice, and is a member of the American Academy of Family Practice as well as the West Virginia Chapter, American Academy of Family Practice and the South Branch Medical Association. Licensed to practice medicine in Virginia as well as West Virginia, Dr. Rexrode practices medicine at the Love Memorial Clinic in Moorefield, West Virginia.

Dr. Rexrode is the Medical Director of the Fraley Ambulance Service in Moorefield and is the author of "Selected Topics in Respiratory Disease" in Taylor, Family Medicine: Principles and Practice, Fourth Edition 1993, and "The Leukemias" in Taylor, Manual of Family Medicine, 1996. Dr. Rexrode is active in community affairs and is a member of the Ladies Auxiliary of VFW Post 9606.

Staff of the West Virginia Board of Medicine

Ronald D. Walton, M.A.	Executive Director
Deborah Lewis Rodecker, J.D.	Counsel
Leslie A. Higginbotham	Paralegal and Investigator
M. Ellen Briggs	Administrative Secretary to the Executive Director
Chad Flippo	Computer Coordinator
Sherry M. Kelly	Complaints Clerk
Crystal Lowe	Licensure Clerk
Karen D. Shuck	Administrative Secretary to Counsel
Lona Skiles	Verification Clerk
Terry E. Wilson	Receptionist; Physician Assistant Clerk